

City Council Special and Regular Meetings, April 11, 2000

Twin Pines Senior and Community Center, 1223 Ralston Avenue

**SPECIAL MEETING: 6:00 P.M.**

**CLOSED SESSION**

A. Conference with Labor Negotiator, Karl Mittelstadt, pursuant to Government Code Section 54957.8

1. BPOA

B. Conference with Legal Counsel, existing litigation, pursuant to Government Code Section 54956.9

1. Knolls of Belmont vs. City of Belmont, Superior Court Case #409314

Closed Session A was cancelled. Closed Session B was held at 6:30 P.M. and was attended by Councilmembers Warden, Hahn, Wright, Rianda, Cook, City Attorney Savaree and Acting City Manager Mittelstadt. City Clerk Kern was excused from attending.

**Adjournment** at this time, being 6:55 P.M. this Closed Session was adjourned.

Meeting not tape recorded

Kathy Kern

Belmont City Clerk

**STUDY SESSION**

**Presentation and discussion regarding Immaculate Heart of Mary Assisted Living**

**Facility Project.**

**Mr. Zemanek**, Sunrise Assisted Living Development presented the Master Plan for Immaculate Heart of Mary campus. He used story boards and slides to detail the assisted living component of the project and the location of buildings on the site. He reviewed the scope which would include a three story, 78 unit facility with a mixture of studio and two bedroom units on 1.25 acres.

Mr. Zemanek explained that an intergenerational garden would join the elementary school and the Assisted Living Facility and be used as a relaxation location for supervised school children and seniors.

Council discussed traffic circulation patterns and suggested investigating the possibility of a peak time trip schedule for employees of the Assisted Living Facility to ease congestion on the corner of Ralston and Alameda.

**Adjournment** at this time, being 7:30 P.M. this meeting was adjourned.

Kathy Kern

Belmont City Clerk

Meeting Tape Recorded

Tape No. 461

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**REGULAR MEETING - 8:30 P.M.**

**ROLL CALL**

COUNCILMEMBERS PRESENT: Warden, Hahn, Wright, Rianda, Cook

COUNCILMEMBERS ABSENT: None

Staff Present: Acting City Manager Mittelstadt, Public Works Director Curtis, Principal Planner de Melo, Finance Director Fil, Police Commander Mattei, Fire Chief Jewell, Economic Development Director Woepke, City Attorney Savaree, City Clerk Kern

**REPORT FROM CLOSED SESSION**

Mayor Cook announced that direction was given, but no action taken.

**SPECIAL ORDERS OF THE DAY/PRESENTATIONS**

Mayor Cook announced that this meeting would be adjourned in memory of former City Treasurer Jean Zucca.

**PUBLIC/COUNCIL COMMENTS**

**Ms. Chiochios**, Branch Manager, Belmont Library, announced that this was National Library Week and presented Council with a thank you card for their continued support for the library.

**Ms. Fraumeni**, Program Manager, Parca Program announced that this program served people with developmental disabilities and was located at 825 Old County Road. She distributed flyers with information regarding this program.

**Mr. Metropulos** 835 Laurel Street, expressed concern regarding the recent resignations of City staff. He said the newspapers reported that City Manager Westman had resigned because of the Council meddling in the City day to day operations. He said he was concerned because it appeared the Council did not know how to work

with people and how to represent the citizens. He said the Council represented all the citizens and they do not like to be misrepresented.

**Mr. Bauer**, 1027 Tahoe Drive, said he was disappointed at the recent events that have set the City back. He said Council needed to change their behavior so that the perception of the City would make it easier to attract someone to work here.

**Ms. Allen**, 907 Alameda, announced the American Cancer Society Relay for Life event that would be held at Carlmont High School on August 12 and 13<sup>th</sup>. She said this 24 hour event would raise funds for cancer research and she invited everyone to participate.

**Mr. Jones**, 509 O'Neill Avenue, Howard Jones Batteries, Harbor Industrial Association, reviewed the history of the HIA with the City and noted that the relationship had improved over the last two years.

He explained that he had been contacted by City Manager Westman to discuss the annexation issue, which he thought was appropriate. He stated that he had been misquoted, and was not in favor of annexation at this time. He stated that he had been concerned when he heard that Belmont was considering annexation under Assembly Bill 1555 which allowed the annexation of land of less than 75 acres. He said he and the HIA members were dedicated to building a good relationship and they had adopted a Resolution to rededicate their mutual trust and understanding. He suggested that the City adopt a Resolution also to help build on this relationship.

Mayor Cook said she enjoyed meeting with the HIA and fostering a positive relationship.

C. Hahn said she had known Howard Jones for a number of years. She thanked him for clarifying the erroneous information regarding the annexation, and thanked him for his long standing relationship with the City.

**Mr. Williams**, 1910 Bishop Road, stated that he thought the Council was doing an excellent job.

He said that he thought that external forces, including the news media caused some of these negative perceptions.

Mr. Williams said the Chamber of Commerce was an independent organization which should be located outside of the City Hall, because it was a conflict of interest. He said he had called other cities and Belmont was the only one that had a Chamber office located in City Hall.

Mr. Williams stated that everyone needed to keep focused on issues and stop the personal attacks because it would not fix the problem.

**Ms. Kittermaster**, 2387 Lyall Way, announced the Town Hall for Sustainable San Mateo County to be held at the College of Notre Dame on April 26<sup>th</sup> beginning at 8:00 A.M. She invited Councilmembers and staff to attend.

C. Warden listed the projects that were in progress and said he would like everyone to focus on the things that the City was trying to do to move forward.

C. Cook announced that she had attended a ribbon cutting at Charles Armstrong school playground. She said that the school would be presenting the musical Annie and she distributed flyers to the Council. She met with the Central Neighborhood Association last week and would supply the Council with a recap of the meeting. She noted that Max's Bistro had a lunch today and would open officially on Friday, April 14<sup>th</sup>. Mayor Cook said that on Monday, April 17<sup>th</sup> she would participate in the Mayorathon put together to raise awareness for organ donation.

Mayor Cook voiced her support of City Manager Westman who had done a lot of positive things for the City and had brought professionalism to the community.

### **AGENDA AMENDMENTS**

Mayor Cook announced that 4-I ( 4- way stop) would be considered separately and 4-K (Robin Whipple) would be tabled to next meeting.

### **CONSENT CALENDAR**

**Approval** of meeting minutes: Special Meeting Closed Sessions: March 9 and April 4<sup>th</sup>.

**Approval** of Warrant List Dated: 3/17/00 in total amount of \$169,994.58 and dated 3/24/00 in total amount of \$199,267.62 and dated 3/31/00 in total amount of \$654,902.31.

Written Communication (none)

**Motion** to approve Claims Management Report.

**Resolution No. 8720** approving Plans and Specifications and authorization to advertise for sealed bids for Hillman Avenue/North Road Reconstruction, City Contract No. 408 A and B.

**Resolution No. 8721** authorizing the filing of an Application for Transportation Enhancement Activities (TEA) funding with the City/County Association of Governments of San Mateo County and the Metropolitan Transportation Commission (MTC) for US Highway 101 bicycle/pedestrian bridge project in the amount of \$300,000, committing the necessary local match for the project in the amount of \$50,000 and stating the assurance of City of Belmont to complete the project.

**Resolution No. 8722** authorizing payment for Change Order No. 118 for an amount not to exceed \$226,720.00 and adding 33 days to the contract time for Time Impact #4 resulting from additional ROW Railroad Work, Ralston/Harbor/Holly Grade Separation Project, Phase B, Kiewit Pacific Corp., City Contract No. 330-B.

**Resolution No. 8723** approving an agreement for a Permanent Encroachment for three (3) one-foot high retaining walls within the public right-of-way at 1762 Terrace Drive. (APN #044-091-220 & 044-091-220, Turner/Hariri)

**Motion** to accept the City of Belmont Single Audit Report for the year ended June 30, 1999.

**Resolution No. 8724** amending contract for Noll and Tam for preliminary library building design. (\$75,000).

**Motion approving** Request for Approval of Same Day Service for Collection of Residential Garbage, Recycling and Yard Waste and for Service Change of Spring and Fall Cleanups to On Call Clean Ups.

**Resolution 8725** authorizing Construction of Retaining Walls 18 and 19 and of Agreements to maintain said walls, Ralston/Harbor/Holly Grade Separation Project, Phase B, CCN 330- B.

Consent Calendar adopted as amended. Moved by C. Warden, seconded by C. Hahn, and approved unanimously, by show of hands.

**Consideration of Resolution approving establishment of a Four-Way Stop at the intersection of Broadway and Sixth Avenue.** Public Works Director Curtis reported that the Traffic Safety Committee had recommended establishment of a four way stop at the intersection of Broadway and Sixth Avenue.

**Mr. Wendt**, 1440 Sixth Avenue, stated he was in favor of this 4-way stop on Sixth Avenue.

**Action:** on motion by C. Rianda, seconded by C. Wright, and approved unanimously, to adopt:

**Resolution No. 8726** approving establishment of a Four-Way Stop at the intersection of Broadway and Sixth Avenue.

**Consideration of Motion to refund City fees and waive future development review and building permit fees for 1840 Robin Whipple Way.**

**Mr. Montgomery**, 1840 Robin Whipple Way, requested reimbursement in the amount of \$5,000 for the architectural/design services completed for his property. He said the City failed to inform him of the relevant ordinances affecting his remodel. He said the Planning Commission acknowledged this error and approved this project. He said that the City Council overturned this decision and acknowledged responsibility. Mr. Montgomery explained that his plans had been rendered worthless and they would not have designed a house with a one car garage, if they had been told a two car garage was required. He said he was unclear why the staff report recommended refund of City fees and a waiver of potential future fees which he did not feel fit the spirit of the discussion at the last meeting. He said he would like full compensation for this error because the estimated amount of expenses was well short of the expenses they had incurred. The decision to continue with this remodel was pending the decision regarding the two car garage ordinance.

**Action:** on motion by C. Hahn, seconded by C. Warden and approved unanimously, to continue this item pending further information on this subject.

### **MATTERS OF COUNCIL INTEREST/CLARIFICATION**

**Consideration of a traffic study of Ralston Avenue from Christian Drive to Oracle Parkway. (Warden)**

C. Warden stated he would like to have this study done to include in the General Plan update under the circulation element and to determine if the amount of AM PM traffic is generated by Oracle Development and the Island Park businesses.

C. Cook stated she would also like to know where these cars stopped because she did not want to negatively impact the businesses in town if they were stopping over.

Public Works Director Curtis stated he would work with C. Warden on these perimeters before developing a RFQ to go out for a traffic study.

C. Hahn recommended this be put on a future agenda for discussion.

C. Rianda stated that if it was included in this years work plan she would like to know where the funding would come from for this project.

Public Works Director Curtis said he would report back on the process and costs involved to conduct a traffic study. He said he would be interested in any input the Council would like to provide.

**Discussion regarding consideration of an amended scope of services with C. Williams for Planning Consulting services to complete City of Belmont Annexation Projects. (Hahn)**

C. Hahn said she would like to know if the Council was interested in amending the scope of services for this consultant in light of Mr. Jones comments earlier in the meeting. She said she thought it would be beneficial to have direct interaction with the Harbor Industrial Association.

C. Rianda said she agreed that the scope of services should be amended and would like to discuss this further.

C. Hahn said she would like to include a Resolution in support of the Harbor Industrial Area.

City Attorney Savaree stated that Council had approved a scope of services and if the Council would like to amend his services, discussions could begin to determine if Mr. Williams was interested in this amendment.

C. Cook said she would like to clarify that this scope of services did not include annexation legislation.

**Mr. Williams,** Curtis Williams and Associates, stated that the contract proposal did not include annexation legislation. He stated that the scope of work included working with the HIA property owners and the City to come up with a program to move forward in a positive direction. He said he did not have a problem amending the contract to exclude work with the HIA.

Acting City Manager Mittelstadt said that staff would work on the technical issues with Mr. Williams and a Council subcommittee would provide the leadership.

City Attorney Savaree suggested that this scope of services be amended so that Council could revisit this and determine which technical issues to retain and areas to amend.

Council concurred to have this item return for further discussion and clarification.

C. Rianda requested updates on the meetings that the subcommittee attended.

Acting City Manager Mittelstadt said that the staff would return with the scope of services and a Resolution in response to the HIA show of support.

**ADJOURNMENT** at this time, being 9:30 P.M., this meeting was adjourned.

Kathy Kern

Belmont City Clerk

**Meeting Tape Recorded**

Tape No. 461

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